

AMENDED IN ASSEMBLY APRIL 21, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1485

Introduced by Assembly Member Patterson

February 27, 2015

An act to add Section 14132.735 to the Welfare and Institutions Code, relating to Medi-Cal.

LEGISLATIVE COUNSEL'S DIGEST

AB 1485, as amended, Patterson. Medi-Cal: ~~teleradiology~~; *radiology*.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid Program provisions. Existing law prohibits a requirement of in-person contact between a health care provider and patient under the Medi-Cal program for any service otherwise covered by the Medi-Cal program when the service is appropriately provided by telehealth, as defined. Existing law, for purposes of payment of covered treatment or services provided through telehealth, prohibits the department from limiting the type of setting where services are provided for the patient or by the health care provider.

This bill would prohibit the department from ~~requiring a radiologist to be located in California as a condition of~~ *conditioning* Medi-Cal provider enrollment or reimbursement for ~~teleradiology services, as defined,~~ *radiology services* provided to Medi-Cal beneficiaries undergoing imaging procedures at locations within California *on the*

location of the radiologist, if the radiologist meets specified conditions and criteria, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14132.735 is added to the Welfare and
2 Institutions Code, to read:

3 14132.735. (a) It is the intent of the Legislature that ~~the~~
4 ~~utilization of national teleradiology networks in the delivery of~~
5 ~~timely and cost-effective health care services to Medi-Cal~~
6 ~~beneficiaries supplement, and not supplant, this section not be~~
7 ~~considered a precedent for other types of health care service~~
8 ~~providers because the services performed by radiologists are~~
9 ~~provided to attending physicians and not to patients, and therefore~~
10 ~~they do not supplant work performed by other California health~~
11 ~~care providers.~~

12 (b) Notwithstanding Section 14122, the department shall not
13 ~~require a radiologist to be located in California as a condition of~~
14 ~~condition~~ Medi-Cal provider enrollment or reimbursement for
15 ~~teleradiology radiology~~ services provided to Medi-Cal beneficiaries
16 undergoing imaging procedures at locations within California *on*
17 *the location of the radiologist*, if the radiologist meets all of the
18 following conditions and criteria:

19 (1) The radiologist is licensed pursuant to Division 2
20 (commencing with Section 500) of the Business and Professions
21 Code.

22 (2) The radiologist is enrolled and in good standing in the
23 Medicaid program for the state where the radiologist is located, is
24 enrolled in good standing in Medicare, or is enrolled in good
25 standing in both programs.

26 (3) The radiologist is not located outside the United States of
27 America.

28 (4) The radiologist satisfies all requirements for enrollment and
29 participation in the ~~Medi-Cal program, and other statutory~~
30 ~~requirements for providing telehealth services.~~ *program.*

31 (5) The radiologist consents to Medi-Cal acting through the
32 state Medicaid program where the radiologist is located and the

1 Medicare Program with respect to any issues concerning the
2 radiologist's enrollment or participation in Medi-Cal.

3 (6) The radiologist consents to jurisdiction and venue in
4 Sacramento, California, for any and all legal proceedings in any
5 way related to the radiologist's enrollment in Medi-Cal, including,
6 but not limited to, formal or informal proceedings, as well as
7 administrative, civil, and criminal proceedings.

8 ~~(e) For purposes of this section, "teleradiology services" means~~
9 ~~professional diagnostic review and interpretation of medical~~
10 ~~imaging studies by remote means, including asynchronous store~~
11 ~~and forward transmission.~~

12 ~~(d)~~

13 (c) Notwithstanding Chapter 3.5 (commencing with Section
14 11340) of Part 1 of Division 3 of Title 2 of the Government Code,
15 the department may implement, interpret, and make specific this
16 section by means of all-county letters, provider bulletins, and
17 similar instructions.

18 ~~(e)~~

19 (d) This section shall be implemented only to the extent
20 permitted by federal law and to the extent that federal financial
21 participation is available.